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Attorneys for Defendants

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

IN RE ALLEGIANT TRAVEL CO.
STOCKHOLDERS DERIVATIVE
LITIGATION

Master File No.: 2:18-cv-01864

**DECLARATION OF JACOB D.
BUNDICK IN SUPPORT OF
MOTION TO DISMISS THIRD
AMENDED VERIFIED
CONSOLIDATED STOCKHOLDER
DERIVATIVE COMPLAINT**

*[Filed concurrently with Motion to
Dismiss and Request for Judicial Notice]*

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I, Jacob D. Bundick, declare as follows:

1. I am an attorney duly licensed to practice law in the State of Nevada and the U.S. District Court for the District of Nevada. I am a shareholder with the law firm of Greenberg Traurig, LLP and counsel of record for Nominal Defendant Allegiant Travel Co. (“Allegiant” or the “Company”) and Individual Defendants Maurice J. Gallagher, Jr., John Redmond, Gregory Anderson, Scott Sheldon, Eric Gust, Charles W. Pollard, Linda A. Marvin, Gary F. Ellmer, and Montie R. Brewer (collectively with Allegiant, “Defendants”) in the above-referenced action.

2. I submit this declaration in support of Defendants’ Motion to Dismiss Third Amended Verified Consolidated Stockholder Derivative Complaint, and Defendants’ Request for Judicial Notice in support of the Motion to Dismiss. I have personal knowledge of the matters stated herein and, if called upon to do so, I could and would competently testify thereto.

3. Attached hereto as **Exhibit A** is a “redline” comparing Plaintiffs’ Third Amended Verified Consolidated Stockholder Derivative Complaint, filed on February 18, 2021, with the Amended Verified Consolidated Stockholder Derivative Complaint, filed on March 24, 2020.

4. Attached hereto as **Exhibit B** is a true and correct copy of the Court’s Order Granting Plaintiffs’ Motion for Final Approval of Class Action Settlement in *Charles Brendon v. Allegiant Travel Co., et al.*, Case No. 2:18-cv-01758 (D. Nev. Apr. 24, 2018) (“*Brendon*”), issued on May 14, 2020.

5. Attached hereto as **Exhibit C** is a true and correct copy of the Court’s Order Granting in Part and Denying in Part Defendants’ Motion to Dismiss in *Brendon*, issued on September 9, 2019.

6. Attached hereto as **Exhibit D** is a true and correct copy of *2019 Review and Analysis of Securities Class Action Settlements* prepared by Cornerstone Research this year.

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ACTIVE 56415857v1

CERTIFICATE OF SERVICE

I hereby certify that on the 5th day of April, 2021, a true and correct copy of the foregoing was filed electronically via the Court's CM/ECF system. Notice of filing will be served on all parties by operation of the Court's EM/ECF system, and parties may access this filing through the Court's CM/ECF system.

/s/ Andrea Flintz
an employee of Greenberg Traurig, LLP

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INDEX OF EXHIBITS

1. Exhibit A – “Redline” Comparison
2. Exhibit B -- Order Granting Plaintiffs’ Motion
3. Exhibit C -- Court’s Order Granting in Part and Denying in Part
Defendants’ Motion to Dismiss
4. Exhibit D -- *2019 Review and Analysis of Securities Class Action
Settlements*
5. Exhibit E -- May 12, 2016 Schedule 14A Report
6. Exhibit F -- Excerpts of April 30, 2019 Schedule 14A Report